

**ZB# 07-10**

**Henry VanLeeuwen**

**55-1-146**

07-10 Henry Van Leeuwen (ARCA)  
345 Beattie Rd. (55-1-146)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 5/14/09*

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 55-1-146

In the Matter of the Application of

HENRY VAN LEEUWEN

MEMORANDUM OF  
DECISION GRANTING

AREA

CASE #07-10

**WHEREAS, Henry VanLeeuwen**, owner(s) of 340 Beattie Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for two single-family dwellings on one lot at 340 Beattie Road in an R-1 Zone (55-1-146)

**WHEREAS**, a public hearing was held on May 14, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a one-family house located on a single parcel of property of more than 40 acres in an R-1 zone.
  - (b) Applicant seeks to construct a second single-family dwelling on that lot for his use.
  - (c) The existing structure on the property consists of a three-bay garage with a caretaker's apartment.

- (d) If the variance is granted, the applicant does not intend to make any change in the driveway.
- (e) The applicant intends to build a house of a "little over" 3,000 square feet.
- (f) In constructing the house, the applicant will not divert the flow of water drainage or create the ponding or collection of water.
- (g) In constructing the house, the applicant will not remove any trees or substantial vegetation.
- (h) In building the house, the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (i) The applicant will not subdivide the property so as to place the proposed new dwelling and the existing structure on separate parcels. While the applicant reserves the right to subdivide the property, in view of its large size, the applicant will not subdivide it in such a way as to separate the aforementioned structures.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law

and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s) provided that the following condition is met: The applicant will not subdivide the property in the future in any way that will separate the two structures mentioned herein to wit: The existing three-car garage with caretaker's apartment structure and the proposed new dwelling structure the applicant may subdivide the property in the future, but, will not subdivide it in such a way as to separate these buildings.

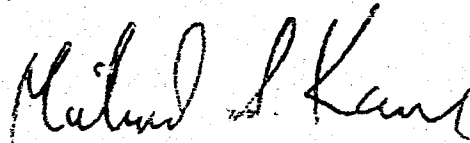
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request to allow two dwellings on one lot at 340 Beattie Road in an R-1 Zone (55-1-146) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: May 14, 2007



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Chairman

August 13, 2007

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VAN\_LEEUWEN\_-\_DISCUSSION

(Discussion was held off the record)

MR. KANE: My motion is to amend the decision for Hank Van Leeuwen for his requested variances, whatever the date was, and that we amend it from 45 acres to 4 acres that cannot be subdivided.

MR. KRIEGER: My understanding was it was a condition of the granting of that variance at that time that the property not be subdivided and that that can be modified so that it merely be a condition that the 4 acres on which the subject buildings are situated not be subdivided.

MR. VAN LEEUWEN: That's fine.

MR. LUNDSTROM: I'll make that motion.

MR. TORPEY: I'll second it.

ROLL CALL

MR. TORPEY	AYE
MS. LOCEY	AYE
MR. LUNDSTROM	AYE
MR. KANE	AYE

MR. VAN LEEUWEN: Thank you very much, I appreciate it,

MR. KANE: Motion to adjourn?

MR. LUNDSTRON: So moved.

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 4, 2007**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 160.12 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-10**

**NAME & ADDRESS:**

**Henry Van Leeuwen  
345 Beattie Road  
Rock Tavern, NY 12575**

**THANK YOU,**

**MYRA**

**J.F.10-04-07**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #07-10      TYPE:AREA      TELEPHONE: 496-9523

**APPLICANT:**

Henry Van Leeuwen  
345 Beattie Road  
Rock Tavern, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK # <u>3417</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 3418



<u>DISBURSEMENTS:</u>		MINUTES	ATTORNEY
		<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:05-01-07      \$ 13.88

TOTAL:	\$ <u>69.88</u>	\$ <u>70.00</u>
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ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 139.88

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 160.12

Cc:

J.F. 10-04-07



April 23, 2007

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HENRY VAN LEEUWEN (07-10)

MR. KANE: Request for two single family dwellings on one lot at 340 Beattie Road.

Mr. Henry Van Leeuwen appeared before the board for this proposal.

MR. KANE: Proceed to tell us what you want to do, sir.

MR. VAN LEEUWEN: Well, I have a two car garage with a small apartment on the property now and I don't want to split cause I don't have the time to split. My wife has rheumatoid arthritis and the doctor told me to look for a house with one floor. Right now we sleep on the third floor in our house, the stairs are a little bit too much for her so what I want to do is I want to build a one story house about 3,000 square feet on the property. I have 40 plus acres there and the other one is really a carriage house, it's, there's pictures here, I took them today cause Myra told me to do that.

MR. KANE: Always a good idea to follow what Myra says.

MR. VAN LEEUWEN: I know that, I sit on the planning board, I've known her a long time.

MS. MASON: Too long.

MR. KANE: Mike, this would be considered an area variance?

MR. KANE: Yeah, you're allowed one house per lot and he's going to have two so in my mind it's considered an area variance.

MR. KANE: Just want to clarify that.

MR. VAN LEEUWEN: We go to Florida in the wintertime a lot, this way somebody is always there to watch it.

April 23, 2007

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MR. BABCOCK: If he wanted to make a two-family house that would be a use variance because it's only a one family zone.

MR. KANE: You said the acreage was 49 acres?

MR. VAN LEEUWEN: Forty plus acres.

MR. KANE: Approximate size of the house that you want to build?

MR. VAN LEEUWEN: About 3,000 square feet.

MR. KANE: One floor?

MR. VAN LEEUWEN: Yes.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the home?

MR. VAN LEEUWEN: There's some pictures of the lots, you have them right there, no, the only thing that's there was small brush about three to four foot, I don't like to cut trees down.

MR. KANE: Wouldn't be creating water hazards or runoffs?

MR. VAN LEEUWEN: No. My daughter lives in that house now, she's got a second child on the way, she's going to move in the big house in our old, her old big house.

MR. KANE: This would not be used as a rental property?

MR. VAN LEEUWEN: No, the one in the pictures will though, okay, that will be a rental.

MR. KANE: Any easements running through the area that you propose to build?

April 23, 2007

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MR. VAN LEEUWEN: No, sir, I've owned that property since 1982, as you can see, there's a large swamp, it's all wet in here and I'm still assessed at \$500 an acre so renting that other apartment up there for 1,200 square feet apartment does help pay the taxes.

MS. LOCEY: So your daughter lives in the detached garage?

MR. VAN LEEUWEN: She lives upstairs.

MS. LOCEY: This is your current home?

MR. VAN LEEUWEN: No, there's no picture of my house.

MR. KANE: The white house is the one?

MR. VAN LEEUWEN: No, that's not the one, nothing to do with my house. We've been there 36 years, I really don't want to leave it.

MR. KANE: And you owned the property since?

MR. VAN LEEUWEN: 1982.

MR. KANE: Any further questions?

MR. LUNDSTROM: No questions. The only thing I might have is to Mr. Van Leeuwen when you do build a house one of the things that I've had a lot of people suggest when they build it for older people make sure the doors are wide enough so anyone at any time in the future requires a wheelchair.

MR. VAN LEEUWEN: When I went to see my wife's doctor in New York he told me, he says you gotta move to one floor he says and you got to put three foot doors so a wheelchair can get through. She might be all right for the next year, year after that, you don't know, that's

April 23, 2007

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one reason why I don't, I really don't want to leave the old house, it's the old Beattie house, I've been in there for 36 years. I restored the whole thing upstairs and downstairs, there's four floors and I really love the old place but what am I going to do at this point in my life.

MR. LUNDSTROM: Sounds like it's the better.

MR. VAN LEEUWEN: I don't have any choice, the choice is not mine, if it was mine, it might be different.

MR. KANE: I'll accept a motion.

MR. LUNDSTROM: Mr. Chair, I will offer a motion that the application of Mr. Henry Van Leeuwen at 340 Beattie Road, Rock Tavern, New York with the application that's before us be allowed to proceed to a public hearing.

MS. LOCEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. KANE	AYE

May 14, 2007

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PUBLIC HEARINGS

HENRY VAN LEEUWEN (07-10)

Mr. Henry Van Leeuwen appeared before the board for this proposal.

MR. KANE: Request for two single-family dwellings on the lot at 340 Beattie Road. Good evening, let me ask if there's anybody in the audience for this particular hearing? And there's not, okay. You're up.

MR. VAN LEEUWEN: The lot consists of 40.43 something acres, plus acres, most of it's on the west side, a lot of it is. My wife has arthritis and the house we live in now is four floors and we sleep on the third floor and it's getting a little hard for her to come up and down the stairs, so we made up our minds we're going to build a house on one floor but since it's already a small residence of 1,200 square feet there I have to come to the zoning board in front of you folks to get a clearance.

MR. BABCOCK: The residence is a caretaker's apartment above the garage, it's not really just the residence.

MR. VAN LEEUWEN: It's a three car garage below it. Mr. Kane, also I want to ask you another question. If I want, I understood the old setbacks were 15 and 20, do I have to come back to get a side yard setback the variance for 10 feet?

MR. BABCOCK: Yeah, that's an issue now at this point in time.

MR. VAN LEEUWEN: Cause I just asked Mike what it was and he just told me, otherwise, I would have known.

MR. KANE: Yes, it has to be, we can't change anything at this point, we can at the prelim because it hasn't

May 14, 2007

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been in the newspaper but here with public notice it needs to be in the paper 10 days before the hearing, I don't know that there's anything being we can do to change that. I think we're going to have to make you come back on that one, right, Mike?

MR. BABCOCK: Yeah.

MR. VAN LEEUWEN: I want to do it legally, I don't want any problems.

MR. LUNDSTROM: Where would you be envisioning putting the second dwelling?

MR. VAN LEEUWEN: See this septic system, this is the first house right here.

MR. LUNDSTROM: So the second?

MR. VAN LEEUWEN: That piece right there.

MR. LUNDSTROM: Okay.

MS. LOCEY: You have two structures on there, now you have this, so there's two structures on there now?

MR. VAN LEEUWEN: No, this is the septic system also.

MS. LOCEY: This is the only house there?

MR. VAN LEEUWEN: There's a three car garage with an apartment upstairs.

MS. LUNDSTROM: Just one other question. Are you looking to extend the driveway that's currently to the existing garage and house to the new house?

MR. VAN LEEUWEN: Yes, no change in driveways whatsoever.

May 14, 2007

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MS. GANN: How large would the new dwelling be?

MR. VAN LEEUWEN: About a little over 3,000 square feet.

MR. KANE: Creating any water hazards or runoffs in the building of it?

MR. VAN LEEUWEN: No.

MR. KANE: Cutting down any substantial vegetation or trees?

MR. VAN LEEUWEN: No.

MR. KANE: Any easements running through that particular area?

MR. VAN LEEUWEN: No, sir.

MR. KANE: Would you be adverse to, you have no intention of subdividing that piece of property, do you?

MR. VAN LEEUWEN: No, I'd rather not.

MR. KANE: Do you have a problem if that was made part of the agreement if we allowed that that the property wouldn't be subdivided?

MR. VAN LEEUWEN: Sure.

MR. KANE: Since most of it's wetlands.

MR. VAN LEEUWEN: I don't want to subdivide it, you can put that there, that doesn't mean nothing to me, I don't want to subdivide it, that's the whole trick.

MR. KANE: I think I would like to add that in as part of the motion. Okay, at this point, I'll open it up to

May 14, 2007

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the public and ask once again if there's anybody in the audience for the public portion of it? There's not, we'll close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: On May 1st, I mailed out 30 addressed envelopes and had no response.

MR. KANE: We'll bring it back to the board. Any further questions? If not, I'll accept a motion.

MR. LUNDSTROM: Mr. Chair, I will make a motion that the application of Mr. Henry Van Leeuwen for a second dwelling on the property as listed on the agenda of May 14 be approved by this board.

MR. KANE: With the provision that there will be no subdivision of the property.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE





# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

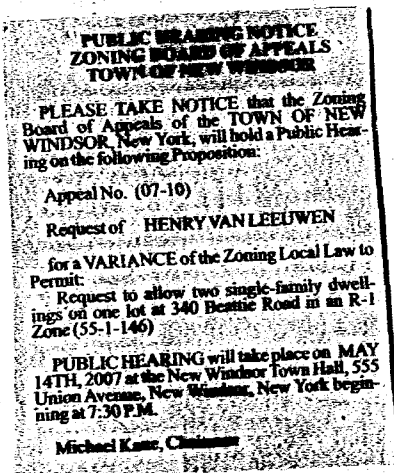
Date	Invoice #
5/4/2007	327

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
49172		

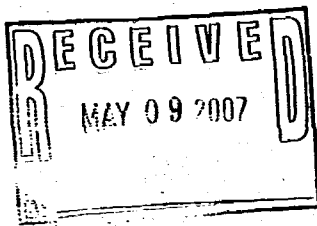
Issue Date	Description	Rate	Amount
5/1/2007	LEGAL ADS: APPEAL NO. 07-10 HENRY VAN LEEUWEN	9.88	9.88
	1 AFFIDAVITS	4.00	4.00
<div data-bbox="451 1036 771 1253"><p>RECEIVED MAY 09 2007 By _____</p></div>			
Total			\$13.88

State of New York  
County of Orange, ss:  
Kathy Amanatides being duly  
sworn disposes and says that she is  
The Supervisor of Legal Dept. of  
the E.W. Smith Publishing  
Company; Inc. Publisher of The  
Sentinel, a weekly newspaper  
published and of general  
circulation in the Town of New  
Windsor, Town of Newburgh and  
City of Newburgh and that the  
notice of which the annexed is a  
true copy was published in said  
newspaper, 1x time(s)  
commencing on  
the 1 day of May A.D., 2007  
and ending on the 1 day of  
May A.D. 2007



Subscribed and shown to before  
me this 1st day of MAY, 2007

Kathleen O'Brien  
Notary Public of the State of New  
York County of Orange.



My commission expires 7-31-09.

KATHLEEN O'BRIEN  
Notary Public, State of New York  
Qualified in Orange County  
No. 0104703512  
Commission Expires July 31, 09



## **COUNTY OF ORANGE**

**EDWARD A. DIANA**  
COUNTY EXECUTIVE

## **DEPARTMENT OF PLANNING**

124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533  
[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)

**DAVID CHURCH, A.I.C.P.**  
COMMISSIONER

### **ORANGE COUNTY DEPARTMENT OF PLANNING** **239 L, M OR N REPORT**

**This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.**

**Referred by:** Town of New Windsor  
Zoning Board of Appeals

**Reference/County ID No.:** NWT20-07M  
**County Tax ID:** S55 B1 L146

**Applicant:** Henry Van Leeuwen

**Proposed Action:** Area Variance for proposed single-family dwelling

**Reason for Review:** Non-Mandatory

#### **Comments:**

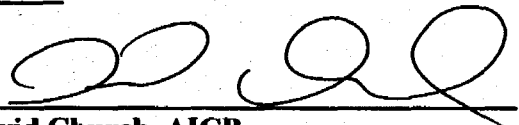
1. The applicant seeks an area variance to permit a proposed, second single-family home on a lot where only one is permitted, in an R-1 Rural Residential zoning district.
2. Although this request has no countywide or inter-municipal impact this Department reminds the ZBA to grant only the minimum variance deemed necessary and adequate to remedy the difficulty imposed by the dimensional requirements of the Town of New Windsor.

**County Recommendation:**

**Local Determination** XXXX

**Date:** May 22, 2007

**Prepared by:** Atticus Lanigan, Planner

  
**David Church, AICP**  
**Commissioner of Planning**



RESULTS OF Z.B.A. MEETING OF: May 14, 2007

PROJECT: Henry Van Lauer ZBA # 07-10  
P.B.# \_\_\_\_\_



USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒  
VARIANCE APPROVED: M) 14 S) 10 VOTE: A 5 N 0.

★ GANN A  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

Reapply for setback Variance

Property not to be subdivided

May 14, 2007 Agenda.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

### WHAT IS NEXT.....

The Zoning Board has just voted to grant your "Request for Variance". The Building Department will contact you within a few days to discuss how to finalize your Building Permit Application.

Within the next few weeks and/or when all charges are received, you will be receiving the balance remaining in your escrow account that was posted upon application to the Zoning Board. You will also be receiving a copy of the "Formal Decision" for this application for your files.

**IF YOU HAVE CHANGED YOUR ADDRESS SINCE APPLICATION WAS SUBMITTED, PLEASE NOTIFY THE ZONING BOARD SECRETARY AT THE ABOVE TELEPHONE NUMBER SO THAT YOUR FORMAL DECISION AND ESCROW BALANCE CAN BE SENT TO YOU WITHOUT DELAY.**

If you have any questions with regard to the above, please feel free to contact me.

Thank you,

Myra Mason,  
Secretary to the ZBA

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 04-18-07

FOR: 07-10 ESCROW

FROM:  
HENRY VAN LEEUWEN  
345 BEATTIE ROAD  
ROCK TAVERN, NY 12575


CHECK FROM:  
SAME

CHECK NUMBER: 3418

TELEPHONE: 496-9523

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

4/20/07  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA #07-10

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#272-2007**

04/20/2007

Vanleeuwen, Henry

Received \$ 50.00 for Zoning Board Fees, on 04/20/2007. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

HENRY VAN LEEUWEN

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#07-10

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 1<sup>ST</sup> day of MAY, 2007, I compared the 30 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

14<sup>th</sup> day of May, 2007

J. Gallagher  
Notary Public

**JENNIFER GALLAGHER**  
Notary Public, State of New York  
No. 01GA6050024  
Qualified in Orange County  
Commission Expires 10/30/10



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

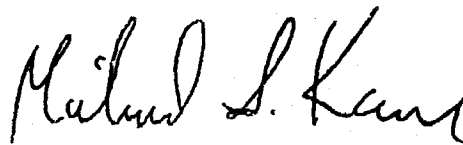
**Appeal No. (07-10)**

**Request of HENRY VAN LEEUWEN**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request to allow two single-family dwellings on one lot at 340 Beattie Road in an R-1 Zone (55-1-146)**

**PUBLIC HEARING will take place on MAY 14<sup>TH</sup>, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

April 24, 2007

Henry Van Leeuwen  
345 Beattie Rd.  
Rock Tavern, NY 12575

Re: 55-1-146      ZBA#: 07-10      (30)

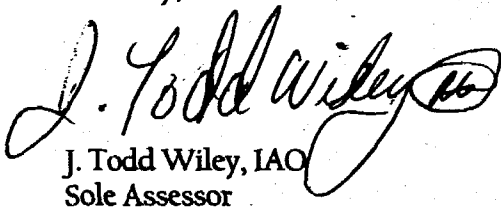
Dear Mr. Van Leeuwen:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$ 45.00 minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/rah  
Attachments

CC: Myra Mason, Zoning Board

55-1-95.1  
JAMES &  
DEBORAH CORCORAN  
317 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-96.12  
EUGENE &  
ANNA NEPORANNY  
335 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-96.21  
DAVID & ARLENE NOLAN  
325 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-116.1  
RAYMOND &  
LORETTA SULLIVAN  
528 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-117  
JULIAN &  
DEMETRIA BONNICK  
318 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-118  
ALICE POLMAN  
330 BEATTIE RD.  
WASHINGTONVILLE, NY 10992

55-1-119.1  
JOSEPH & SUSAN PICONE  
17 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-133  
ANDREW &  
HEATHER MCKEEN  
10 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-132.31  
KENNETH MCKENNA  
334 BEATTIE RD.  
ROCK TAVERN, NY 12575

55-1-132.2  
ROBERT &  
RACHAEL DOUGLAS  
23 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-119.2  
TIMOTHY &  
DONNA SANTIAGO  
16 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-119.31  
JOSEPH &  
CONSTANCE SWARTZ  
28 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-145  
ISAAC & EVELYN MALLARD  
45 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-134  
MICHALIS, STAVROULA &  
CHRISTINA KOTSAMANIDIS  
20 ANN ELIZABETH DR.  
WASHINGTONVILLE, NY 10992

55-1-60  
HERITAGE OAK  
NEW WINDSOR, LLC  
PO BOX  
COLTS NECK, NJ 07722

55-1-61  
MABEN GROUP, LLC  
415 N. LITTLE TOR RD.  
NEW CITY, NY 10956

55-1-65.4  
THOMAS & HEIDI GAMBLE  
373 BEATTIE RD.  
ROCK TAVERN, NY 12575

55-1-66  
WILLIAM & EILEEN GAMBLE  
377 BEATTIE RD.  
ROCK TAVERN, NY 12575

55-1-25.2  
MARY ROCHE &  
MARY & LOUISE JEZIK  
2 GERSTEIN DR.  
CROTON-ON-HUD, NY 10520

55-1-42.41  
HARDY CREDIT CO.  
1019 RT. 519 BLDG 1  
EIGHTY FOUR, PA 15330

55-1-42.42  
AMERICAN LAND, LLC  
222 RT. 9W #142  
HAVERSTRAW, NY 10927

55-1-42.45  
BEATTIE ASSOCIATES, LLC  
119 ROCKLAND CENTER #150  
NANUET, NY 10954

55-2-1  
IRA & MARIE KURTZ  
2 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-2  
JOSEPH &  
SUSAN FILORETO  
4 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-3  
DIANE JACOB  
6 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-9  
JOHN O'DONOGHUE &  
CAROL MCGRATH  
11 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-10  
JOHN & JEAN DUNN  
9 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-11  
JORGE & ILEANA MENDOZA  
7 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-12  
BRUCE & LAURA HERMANN  
5 MACLEAN DR.  
ROCK TAVERN, NY 12575

55-2-13.11  
ROBERT RODRIGUEZ  
341 BEATTIE RD.  
ROCK TAVERN, NY 12575

April 23, 2007 Agenda

TOTAL CHARGES: \_\_\_\_\_



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

4/12/07  
Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (496) 9523  
Fax Number: (496) 9473  
HENRY P. VAN LEEUWEN  
(Name)  
345 Beattie rd Arch Town 24 12528  
(Address)

II. Applicant:

Same  
(Name)  
Phone Number: ( )  
Fax Number: ( )  
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ( )  
Fax Number: ( )  
Same  
(Name)  
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ( )  
Fax Number: ( )  
Self  
(Name)  
(Address)

V. Property Information:

Zone: R1 Property Address in Question: 340 Beattie rd  
Lot Size: 1/4 acre + Tax Map Number: Section 55 Block 1 Lot 146  
a. What other zones lie within 500 feet? same  
b. Is pending sale or lease subject to ZBA approval of this Application? no  
c. When was property purchased by present owner? 1982  
d. Has property been subdivided previously? yes If so, When: 10 yrs  
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? no  
f. Is there any outside storage at the property now or is any proposed? no

\*\*\*\*PLEASE NOTE:\*\*\*\*

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*My Wife has a Senior illness and  
we need to move from the big old house of 4 floors  
and build a one story house. There will be  
no negative effect on the neighborhood*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

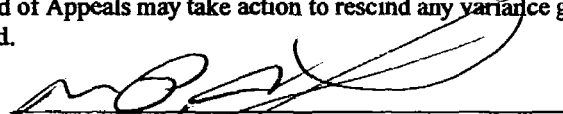
) SS.:

COUNTY OF ORANGE )

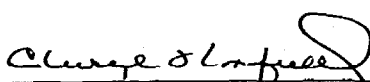
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

17 day of April 2007.

  
Owner's Signature (Notarized)

Owner's Name (Please Print)



CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County

Signature and Stamp of Notary

#01CA6073319  
Commission Expires April 22, 2010

Applicant's Signature (If not Owner)

2010

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐





# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

### **RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

TO ALL ZONING BOARD OF APPEALS APPLICANTS:

Please note the attached letter from Orange County Department of Planning asking that referrals be made to their office for review.

Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

ZONING BOARD OF APPEALS

Please Read

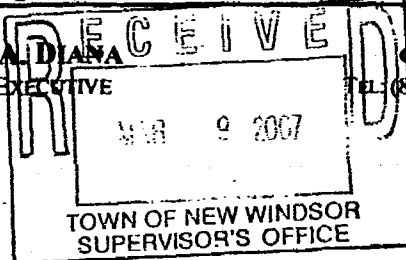


**COUNTY OF ORANGE****DEPARTMENT OF PLANNING**

EDWARD A. DIANA  
COUNTY EXECUTIVE

124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533

DAVID CHURCH, A.I.C.P.  
COMMISSIONER



5 March, 2007

**POLICY REMINDER**

**REFERRAL OF CERTAIN MUNICIPAL PERMITS AND ACTIONS  
to COUNTY PLANNING as per NYS GENERAL MUNICIPAL LAW §239 L, M & N**

**NEW POLICY GUIDEBOOK ATTACHED**

As an essential part of Orange County's renewed interest and involvement in planning and development policy, the Planning Department continues to gain staff capability and expertise. The Orange County Planning Department reviews all projects that meet the requirements of Section 239 of the NYS General Municipal Law (GML §239) for County referrals. Please be sure that your municipality is sending the required applications that come under the provisions of GML § 239. Keep in mind that if there is a project that falls under the non-mandatory review requirement, we will be glad to review it upon request of a municipal official.

**A new guidebook is attached detailing the NYS GML §239 referral process here in Orange County. Additional copies of this guidebook can be downloaded at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).**

As a refresher, prior to making a decision on certain permits or actions, GML § 239 requires that you send to County Planning a copy of the complete application for the following "proposed actions" that are within 500 feet of the properties or thresholds listed in the statute (GML § 239-m (3)):

1. The adoption of a municipal comprehensive plan, zoning ordinance or law, or an amendment to either one;
2. The granting of a use or area variance;
3. The issuance of special use permits;
4. Site plans for residential uses;
5. Site plans for non-residential uses;
6. Subdivisions plats;
7. Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.

Proposed "actions" must be referred to County Planning prior to your decision if they apply to real property within five hundred (500) feet of the following:

1. The boundary of any city, village or town;
2. The boundary of any existing or proposed county or state park or any other recreation area;

Orange County Planning Commissioner  
March 5, 2007 Memorandum on GML § 239 Referrals  
page 1 of 2 plus attachment

Please Read



PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <u>Greenwich</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>340 Bunker Rd Rock Hill N.Y. 12575</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>one story 1.5 acre house</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>1/2 acre</u> acres    Ultimately <u>2 acres</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other <u>Swamp</u> Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>HENRY P. VAN LEEUW</u> Date: <u>4/17/07</u>	
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b> C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:   C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:   C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:   C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:   C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:   C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:   C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:   	
<b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
<hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	
Name of Lead Agency	
<hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
<hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	
Date	

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: April 13, 2007**

**APPLICANT: Henry B. Vanleeuwen  
340 Beattie Road  
Rock Tavern, NY 12575**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 12, 2007**

**FOR : One family dwelling.**

**LOCATED AT: 340 Beattie Road**

**ZONE: R-1 Sec/Blk/ Lot: 55-1-146**

**DESCRIPTION OF EXISTING SITE: Single family dwelling.**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. 300-8 use/bulk table R-1 zone line 5 column A (Uses permitted by right). One family dwellings, not to exceed 1 dwelling on each lot. Proposed single family dwelling will require a variance for two (2) single family dwellings on one lot.**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1 USE: Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

APR 27 2007

FOR OFFICE USE ONLY:  
Building Permit # 2007 234

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Henry + Elizabeth Vanleeuwen  
Address 345 Beattie Rd. Rock Tavern NY 12575 Phone # 845-496-9523  
Mailing Address Same Fax # \_\_\_\_\_  
Name of Architect Pietrzak + Pfau  
Address 282 Greenwich Aven. Suite 4 Phone 845-294-0606  
Name of Contractor Self Goshen NY 10929

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the East side of Beattie Rd. 340  
(N, S, E or W)  
and 1 1/2 miles east from the intersection of 207 + Beattie Rd
2. Zone or use district in which premises are situated Residential Arig. Is property a flood zone? Y N X
3. Tax Map Description: Section 55 Block 1 Lot 146
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy residential b. Intended use and occupancy residential
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? no one family home
7. Dimensions of entire new construction. Front 72' 3" Rear \_\_\_\_\_ Depth 72' 3" Height \_\_\_\_\_ No. of stories 1
8. If dwelling, number of dwelling units: 1 Home Number of dwelling units on each floor 1 floor  
Number of bedrooms 4 Baths 4 1/2 Toilets 4 Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water X If Garage, number of cars 3
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50 -

**PAID**

**ZONING BOARD**

CH# 3411

17E #40

ZONING BOARD

00.1

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank L. A. Louis Krychear  
New Windsor Town Hall  
855 Union Avenue  
New Windsor, New York 12553  
(845) 583-4818  
(845) 583-4895 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

## INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

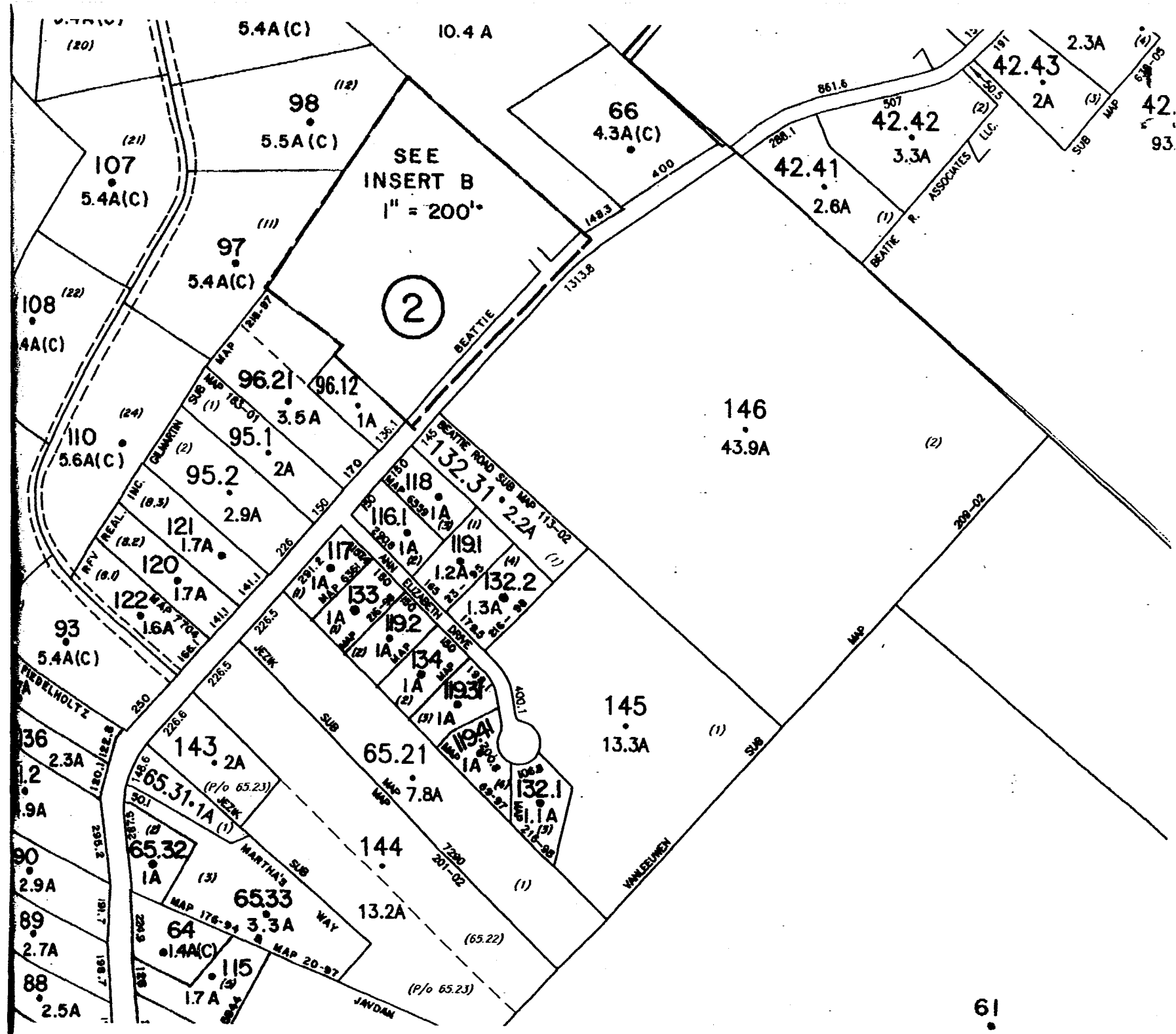
N

W

E

S

NOTED 03/10/05





SHEET 1  
SHEET 2  
SHEET 3

# BULK REQUIREMENT

	MINIMUM	MAXIMUM
GROSS LOT AREA (S.F.)		
NET LOT AREA (S.F.)		
LOT WIDTH (FT.)		
FRONT YARD (FT.)		
REAR YARD (FT.)		
ONE SIDE YARD (FT.)		
STREET FRONTAGE (FT.)		
LIVABLE AREA (S.F.)		
BUILDING HEIGHT (FT.)		
LOT COVERAGE (%)		
* MINIMUM REQUIREMENT FOR GROSS LOT		